

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

COLTEN LEE SHAMBO,

Defendant.

**CR-18-54-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on December 8, 2021. (Doc. 46.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on December 7, 2021. (Doc. 41.) The United States accused Shambo of violating his conditions of supervised release 1) by failing to report for mental health treatment; 2) by failing to report for substance abuse testing; 3) by consuming alcohol; and 4) by failing to notify his probation officer of a change in residence. (Doc. 38.)

At the revocation hearing, Shambo admitted that he had violated the conditions of his supervised 1) by failing to report for mental health treatment; 2) by failing to report for substance abuse testing; 3) by consuming alcohol; and 4) by failing to notify his probation officer of a change in residence. (Doc. 41.) Judge Johnston found that the violations Shambo admitted proved to be serious and warranted revocation, and recommended that Shambo receive a custodial sentence of 3 months, with 21 months supervised release to follow. (Doc. 46.) Shambo was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 41.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 46) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Colten Lee Shambo be sentenced to the Bureau of Prisons for 3 months, with 21 months supervised release to follow.

DATED this 3<sup>rd</sup> day of January, 2022.



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Brian Morris, Chief District Judge  
United States District Court